



STATE OF WASHINGTON
STATE BUILDING CODE COUNCIL

May 2018
Log No. _____

1. State Building Code to be Amended:

- | | |
|---|---|
| <input type="checkbox"/> International Building Code | <input type="checkbox"/> International Mechanical Code |
| <input type="checkbox"/> ICC ANSI A117.1 Accessibility Code | <input type="checkbox"/> International Fuel Gas Code |
| <input type="checkbox"/> International Existing Building Code | <input type="checkbox"/> NFPA 54 National Fuel Gas Code |
| <input type="checkbox"/> International Residential Code | <input type="checkbox"/> NFPA 58 Liquefied Petroleum Gas Code |
| <input checked="" type="checkbox"/> International Fire Code | <input type="checkbox"/> Wildland Urban Interface Code |
| <input type="checkbox"/> Uniform Plumbing Code | |

For the Washington State Energy Code, please see specialized [energy code forms](#)

Section(s): 104.2.4.1 and 104.2.4.2

Title: Individual Cases and Natural Disasters

2. Proponent Name (Specific local government, organization or individual):

Proponent: Patrick Hanks (Building Industry Association of Washington)
Title: Policy and Research Manager
Date: 9/17/24

3. Designated Contact Person:

Name: Patrick Hanks (Building Industry Association of Washington)
Title: Policy and Research Manager
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Cell:

E-Mail address: patrickh@biaw.com

4. **Proposed Code Amendment.** Reproduce the section to be amended by underlining all added language, striking through all deleted language. Insert new sections in the appropriate place in the code in order to continue the established numbering system of the code. If more than one section is proposed for amendment or more than one page is needed for reproducing the affected section of the code, additional pages may be attached.

Clearly state if the proposal modifies an existing amendment or if a new amendment is needed. If the proposal modifies an **existing amendment**, show the modifications to the existing amendment by underlining all added language and striking through all deleted language. If a new amendment is needed, show the modifications to the **model code** by underlining all added language and striking through all deleted language.

Code(s): 2024 IFC **Section(s):** 104.2.4.1 and 104.2.4.2

Enforceable code language must be used.

Amend section to read as follows:

~~104.2.4.1 Individual cases.~~

~~The *fire code official* shall have the authority to grant modifications for individual cases, provided that the *fire code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the code compliance agency.~~

~~104.2.4.2 Natural Disasters~~

~~In preparation for, during and after a natural disaster event, as determined by the *fire code official*, the *fire code official* shall have the authority to issue written policies, procedures or rules that modify this code as necessary to protect life and property. Such policies, procedures or rules shall be made available to the public and shall include start and end dates, which can be extended at the *fire code official's* discretion.~~

5. **Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.** Specifically note any impacts or benefits to business, and specify construction types, industries and services that would be affected. Finally, please note any potential impact on enforcement such as special reporting requirements or additional inspections required.

We propose not adopting these sections of the model code because they offer broad powers to local jurisdiction officials to make substantial changes to the code with no oversight and little restrictions.

RCW 34.05.630(2) states that policies and procedures that are used in place of a rule, without being adopted in accordance with all applicable laws, may be subject to review by the Joint Administrative Review Committee. If the model code is adopted, it may result in local jurisdictions modifying the code in a substantial way that violates the intent of the Administrative Procedure Act and Regulatory Fairness Act and without having direct approval for the changes by the State Building Code Council.

Therefore, we believe it is in the best interest of the state to not adopt these sections of the model code.

6. **Specify what criteria this proposal meets.** You may select more than one.

- The amendment is needed to address a critical life/safety need.
 The amendment clarifies the intent or application of the code.

- The amendment is needed to address a specific state policy or statute.
- The amendment is needed for consistency with state or federal regulations.
- The amendment is needed to address a unique character of the state.
- The amendment corrects errors and omissions.

7. **Is there an economic impact:** Yes No

If no, state reason:

This proposal likely has no direct economic impact because it removes code sections and does not add additional requirements.

If yes, provide economic impact, costs and benefits as noted below in items a – f.

- a. **Life Cycle Cost.** Use the OFM Life Cycle Cost [Analysis tool](#) to estimate the life cycle cost of the proposal using one or more typical examples. Reference these [Instructions](#); use these [Inputs](#). Webinars on the tool can be found [Here](#) and [Here](#)). If the tool is used, submit a copy of the excel file with your proposal submission. If preferred, you may submit an alternate life cycle cost analysis.
- b. **Construction Cost.** Provide your best estimate of the construction cost (or cost savings) of your code change proposal.

\$Click here to enter text./square foot

(For residential projects, also provide \$Click here to enter text./ dwelling unit)

Show calculations here, and list sources for costs/savings, or attach backup data pages
- c. **Code Enforcement.** List any code enforcement time for additional plan review or inspections that your proposal will require, in hours per permit application:
- d. **Small Business Impact.** Describe economic impacts to small businesses:
- e. **Housing Affordability.** Describe economic impacts on housing affordability:
- f. **Other.** Describe other qualitative cost and benefits to owners, to occupants, to the public, to the environment, and to other stakeholders that have not yet been discussed:

Please send your completed proposal to: sbcc@des.wa.gov

All questions must be answered to be considered complete. Incomplete proposals will not be accepted.